UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,167	06/26/2001	Robert Sesek	10007997-1	4514

7590 10/20/2005	EXAMINER
HEWLETT-PACKARD COMPANY	KE, PENG

Intellectual Property Administration	ART UNIT	PAPER NUMBER
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Fort Collins, CO 80527-2400		

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)
Office Action Summary		09/893,167	SESEK, ROBERT
		Examiner	Art Unit
		Peng Ke	2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>25 July 2005</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>*1-20*</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>*1-20*</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to communications: Amendment, filed on 7/25/05.

This Action is made final.

Claims 1-20 are pending in this application. Claims 1, 4, 10, 11, 16-19 are independent

claims. In the Amendment, filed on 7/25/05, claims 1, 4, 10, 11, 16-19 were amended.

Since the applicant fails to traverse the examiner's assertion of official notice, official

notice is taken as admitted prior art.

Claim Rejections – 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-14, and claim 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Motai (US 5,850,220) in view of Elsey et al. (US 2002/0055351) further in view of

Alexander (US 6,640,230)

As per claim 16, Motai teaches a method for downloading a calendar screensaver process

over the Internet, the method comprising the steps of:

displaying the original, updateable schedule on the computer display as a screen saving

process while the computer device is in an inactive mode; and

if the updateable schedule is accessed while the computer device is in the inactive mode,

enabling input access to only the original, updateable schedule, for additional schedule

inputs to create an amended schedule, while locking out other computer device functions (col. 1,

lines 26-51); and

However, Motai fails to teach

accessing a predetermined World Wide Web site;

downloading the calendar screensaver process that comprises the steps of accessing an

original, updatable schedule from the memory;

enabling remote input access to the original, updateable schedule, as additional schedule

and contact inputs for creating an amended schedule and a matrix with a time contact schedule

that includes current lime sensitive contact information to provide accessors of the computer

device with current contact information of a user of the computer device.

Elsey et al. teaches accessing a predetermined World Wide Web site;

downloading the calendar process that comprises the steps of accessing an original,

updateable schedule from the memory;

enabling remote input access to the original, updateable schedule, as additional schedule

and contact inputs for creating an amended schedule and a matrix with a time contact schedule

that includes current lime sensitive contact information to provide accessors of the computer

device with current contact information of a user of the computer device (fig. 17 and 18,

paragraph 93 and 94) and preferred reason for contacting a user (figure. 18; item "1p MetroDex

design me... 4p Staff Meeting" Examiner interprets "Staff Meeting" as a reason why the reader

of the message would use the contacting method suggested by the creator of the message.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Elsey's teaching with Motai's method in order to create a calendar screen saver method that can be updated even if a user is not in close proximity of the computer device.

However both Elsey and Motai fail to teach enabling accesses of the computer display to have access during inactive mode to electronically access numbers and methods of time dependant contact information associated wih the preferred reasons of contact of the user.

Alexander teaches enabling accesses of the computer display to have access during inactive mode to electronically access numbers and methods of time dependant contact information associated wih the preferred reasons of contact of the user. (col. 3, lines 36-63)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Alexander's teaching with method of Elsey and Motai in order to provide user with the ability to update their schedule and contact information specific to schedule events.

As per claim 1, it is rejected with the same rationale as claim 16. (see rejection above)

As per claim 2, Motai, Elsey, and Alexander teach the calendar screensaver method of claim 1. Motai further teaches the method wherein the step of accessing comprises accessing a hard drive for the schedule (col. 2, lines 21-24).

As per claim 3, Motai, Elsey, and Alexander teach the calendar screensaver method of claim 1. Motai further teaches the method wherein the step of accessing comprises accessing random access memory (col. 2, lines 21- 24).

As per claim 4, it is rejected with the same rationale as claim 16. (see rejection above)

As per claim 5, Motai, Elsey, and Alexander teach the calendar screensaver method of claim 4. Elsey further teaches method wherein the step of enabling access comprises selectively enabling access in response to an input password (paragraph 45).

As per claim 6, Motai, Elsey, and Alexander teach the calendar screensaver method of claim 4. Elsey further includes the step of determining conflicts between the amended schedule and the original schedule (paragraph 104, 117).

As per claim 7, Motai, Elsey, and Alexander teach the calendar screensaver method of claim 4. Motai further includes the step of displaying a message substantially simultaneously with either the original schedule or the amended schedule (col. 2, lines 26-45).

As per claim 8, Motai, Elsey, and Alexander teach the calendar screensaver method of claim 7. Elsey further includes the step of remotely updating the message by text of an e-mail received by the computer device. (paragraph 7)

As per claim 9, Motai, Elsey, and Alexander teach calendar screensaver method of claim 4. Elsey further teaches the screensaver includes the step of remotely updating the original schedule by text of an e-mail received by the computer device (paragraph 104).

As per claim 10, it is rejected with the same rationale as claim 16.

Claim 11, Motai teaches a calendar screensaver method for a computer device comprising memory and a display, the method comprising the steps of:

accessing an original, updatable schedule, of a schedule user, from the memory;

displaying the original, updatable schedule on the computer display as a screensaving process while the computer device is in an inactive mode (col. 1, lines 26-51);

However, Motai fails to teach

if the updateable schedule is accessed while the computer device is in the inactive mode,

determining access privileges of an accessor;

in response to the access privileges, enabling input access to only appropriate portions of

the original, updateable schedule, for additional schedule inputs to create an amended schedule,

while locking out other computer device functions;

determining if a conflict exists between the amended schedule and the original schedule;

and

informing the schedule user of the amended schedule; and

enabling remote input access to the original, updateable schedule, as additional schedule

and contact inputs for creating an amended schedule and a matrix with a time contact schedule

that includes current time sensitive contact information.

Elsey et al. teaches

if the updateable schedule is accessed while the computer device is in the inactive mode,

determining access privileges of an accessor (paragraph 45);

in response to the access privileges, enabling input access to only appropriate portions of

the original, updateable schedule, for additional schedule inputs to create an amended schedule,

while locking out other computer device functions (paragraph 101);

determining if a conflict exists between the amended schedule and the original schedule

(paragraph 104, 117); and

informing the schedule user of the amended schedule (fig. 17 and 18, paragraph 93 and

94); and

enabling remote input access to the original, updateable schedule, as additional schedule

and contact inputs for creating an amended schedule and a matrix with a time contact schedule

that includes current time sensitive contact information (fig. 17 and 18, paragraph 93 and 94).

And preferred reason for contacting a user (figure. 18; item "1p MetroDex design me... 4p Staff

Meeting" Examiner interprets "Staff Meeting" as a reason why the reader of the message would

use the contacting method suggested by the creator of the message.)

However both Elsey and Motai fail to teach enabling the computer display to be

accessible during inactive mode to electronically access numbers and methods of time dependant

contact information associated with the preferred reasons of contact of the user.

Alexander teaches enabling accesses of the computer display to have access during

inactive mode to electronically access numbers and methods of time dependant contact

information associated wih the preferred reasons of contact of the user. (col. 3, lines 36-63)

It would have been obvious to one of ordinary skill in the art at the time of the invention

to combine Alexander's teaching with method of Elsey and Motai in order to provide user with

the ability to update their schedule and contact information specific to schedule events

As per claim 12, it is of the same scope as claim 9. (see rejection above)

As per claim 13, Motai, Elsey and Alexander teach the calendar screensaver method of

claim 11. However, they fail to teach the method wherein the step of informing comprises

transmitting a wireless, text-enabled telephone compatible message to the wireless telephone.

However, Elsey discloses that the transmission of e-mail occurs through an Internet connection

that includes but is not limited to one (fig. 17 and 18, paragraph 93 and 94). Official notice is

taken that in cable and Ethernet, wireless connections are well known in the art, therefore it

would have been obvious to one of ordinary skill in the art at the time of the invention to include

wireless capabilities in Motai's invention with Ethernet and cable connections in order to allow a

user to make modifications and submit them in a more convenient manner.

As per claim 14, Motai, Elsey, and Alexander teach the calendar screensaver method of

claim 11. They fail to teach wherein the step of informing comprises transmitting a pager

message to the schedule user. However, Official Notice is taken that transmitting a message via

pager is well known in the art and therefore it would have been obvious to one of ordinary skill

in the art at the time of the invention to include the means to transfer information to the schedule

user through a pager in order to extend the methods of communication and allow a user to make

modifications and submit them in a more convenient manner.

As per claim 17, it is rejected with the same rationale as claim 16. (see rejection above)

As per claim 18, it is rejected with the same rationale as claim 16. (see rejection above)

As per claim 19, it is rejected with the same rationale as claim 16. (see rejection above)

As per claim 20, Motai and Elsey teach the calendar screensaver method of claim 19.

Elsey teaches further including the step of remotely updating the original schedule over a

network (fig. 17 and 18, paragraph 93 and 94).

Claim 15 rejected under 35 U.S.C. 103(a) as being unpatentable over anticipated Motai

(US 5,850,220) in view of Elsey et al. (US 2002/0055351) further in view of Alexander (US

6,640,230) further in view of Davis et al. (US 5937160).

As per claim Claim 15, Motai, Elsey et al. and Alexander teach the calendar screensaver

method of claim 11. However, they fail to teach further including the step of displaying a

conflict error message if the conflict exists between the amended schedule and the original schedule.

However, Davis teaches a calendar updates system that incorporates recording and displaying discrepancies in a log (col. 14, lines 53-64). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Davis's method of noting discrepancies/errors in updating a calendar with Motai's calendar screensaver method in order to create a system in which conflicting scheduling does not inadvertently occur.

Response To Argument

Applicant's arguments with respect to claims 1-20 have been considered but are deemed to be moot in view of the new grounds of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (571) 272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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